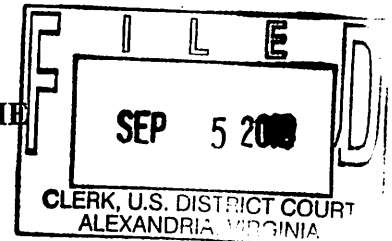


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

TRAVAUN DAVIS,

Defendant.

Case No. 18-mj-426

The Honorable Ivan D. Davis

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Your affiant, Jose J. Oquendo, being duly sworn, hereby deposes and states as follows:

INTRODUCTION

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). I am currently assigned to the ATF Falls Church Group II Field Office and have been employed with ATF for approximately 4 years. I have been a federal law-enforcement officer with the United States Government for approximately six years. I have successfully completed numerous training programs hosted by the ATF and the Federal Law Enforcement Training Center dealing in various techniques of investigating crimes involving firearms and narcotics-related offenses. In particular, I have received specialized training in the investigation of state and federal crimes involving the use of alcohol, tobacco, firearms, explosives, and arson. As an ATF agent, I have conducted and participated in federal criminal investigations involving the use, possession, and transfer of firearms, as well as narcotics-related investigations. Prior to joining ATF, I served with the U.S. Secret Service in Washington, D.C. for approximately two and a half years.

2. This affidavit is submitted in support of a criminal complaint charging Travaun DAVIS, did knowingly make a false statement in connection with the acquisition of seven separate firearms from a licensed dealer in violation of Title 18 , United States Code. Section 922(a)(6).

3. The facts and information contained in this affidavit are based upon my personal knowledge of the investigation and information conveyed to me by other state and federal law-enforcement officers. All observations made or information obtained not personally by me were relayed to me by the individuals who made them or obtained the information or are based upon my review of reports, documents, records, and other physical evidence obtained during the course of this investigation. This affidavit contains the information necessary to establish probable cause but does not include each and every fact known by me or known by the government.

PROBABLE CAUSE

4. On December 6, 2017, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) executed a Federal Search Warrant at an address on Cooktown Road in Spotsylvania, Virginia, where an individual named RASHOURN NILES had been surveilled numerous times. NILES was a known distributor of large quantities of cocaine base, and law enforcement recovered a Hi-point (Iberia Firearms), Model JCP, .40 caliber pistol, SN# X7264761 (hereinafter referred to as Firearm-1) during the search.

5. On December 19, 2017, I reviewed an ATF Firearms Trace Summary report that showed Firearm-1 was purchased by TRAVAUN CHRISTOPHER DAVIS ("DAVIS") on November 9, 2017 from RWH Industries/Hall Precision located in Fredericksburg, VA. RWH is a federally licensed firearms dealer (FFL) in the Eastern District of Virginia. On the Form 4473, DAVIS provided "502 Greenbrier Dr., Fredericksburg, VA 22401" as his current residence at the time of

the firearm purchase. As explained below, business records and witness testimony indicate DAVIS had previously lived at 502 Greenbrier Court, Fredericksburg, VA 22401. However, DAVIS had not lived there since February 2016, more than a year and a half before he purchased Firearm-1.

SUPBOENA RECORDS RECEIVED

6. On January 25, 2018, law enforcement received subpoena records from the Mid-America Apartments regarding the address 502 Greenbrier Ct., Apt. 100, Fredericksburg, VA. A review of these documents did not show DAVIS had ever actually lived at this residence. Instead, as further explained below, they identified WITNESS 1 as having been the sole renter for 502 Greenbrier Ct., Apt 100 from March 1, 2014 until he was evicted in September 2016. They also revealed the apartment then remained un-occupied until it was rented to WITNESS 2 on December 2016 until December 2017.

7. DAVIS listed different versions of this address as his current residence on three separate 4473's at the time of each firearm purchase: on November 1, 2017, he listed his address without an apartment number as 502 Greenbrier Ct., Fredericksburg, VA; on November 9, 2017 he listed his address as 502 Greenbrier Dr., Fredericksburg, VA; and on November 10, 2017, he listed his address as 502 Greenbrier Dr. Apt. 100, Fredericksburg, VA.

INTERVIEW OF WITNESS 1

8. On February 6, 2018, law enforcement interviewed WITNESS 1 at his/her current residence. WITNESS 1 is a convicted felon with one felony conviction for driving under the influence. WITNESS 1 confirmed he/she had lived at 502 Greenbrier Ct., Apt. 100, Fredericksburg, VA from sometime in early 2015 until he/she was evicted in September of 2016.

After eviction from 502 Greenbrier Ct., Apt. 100, WITNESS 1 advised he/she moved into an apartment located in downtown Fredericksburg and that is where he/she lived until he/she moved to his/her current residence. Law enforcement showed WITNESS 1 a photo, which WITNESS 1 identified as a photo of DAVIS. WITNESS 1 further explained to law enforcement that he/she initially met DAVIS through work at Rappahannock Goodwill Industries, where he/she worked as a custodian. WITNESS 1 believed this was in or around June of 2015. WITNESS 1 further stated he/she knows DAVIS's mother to be Charity "Peaches" Davis. WITNESS 1 stated when he/she met DAVIS at work, DAVIS told him/her that he needed a place to stay, therefore, approximately two weeks after meeting DAVIS, WITNESS 1 allowed DAVIS to stay at his/her apartment, 502 Greenbrier Ct., Apt. 100, Fredericksburg, VA. WITNESS 1 stated he/she asked DAVIS to leave the apartment on a couple occasions during the time he/she was living at 502 Greenbrier Ct., Apt. 100, however, DAVIS officially moved out of 502 Greenbrier Ct., Apt. 100 sometime in February of 2016. WITNESS 1 further stated that through additional contact with Davis over the past year, DAVIS has always told WITNESS 1 he was living in Washington, D.C. or Maryland.

INTERVIEW OF WITNESS 2

9. On February 7, 2018, law enforcement interviewed WITNESS 2 at his/her current residence. WITNESS 2 stated that he/she lived at 502 Greenbrier Ct., Apt. #100, for approximately 13 months prior and had moved out of apartment #100 in December 2017. Law enforcement showed WITNESS 2 a DMV photograph of DAVIS. WITNESS 2 stated that he/she did not recognize DAVIS and that DAVIS has never lived with him/her. Law enforcement asked WITNESS 2 if DAVIS was ever his/her roommate, and WITNESS 2 stated

that DAVIS was not. Law enforcement also asked WITNESS 2 if DAVIS had lived in apartment #100 during November 2017. WITNESS 2 stated that DAVIS did not live in apartment #100 during November 2017 or at any time during the period that WITNESS 2 resided there.

INTERVIEW OF TRAVAUN DAVIS

10. On February 15, 2018, law enforcement interviewed DAVIS in Fredericksburg, VA. Law enforcement introduced themselves as ATF Special Agents and stated to DAVIS that they would like to talk to him about Firearm-1. Law enforcement advised DAVIS that he was not under arrest. Nonetheless, law Enforcement advised DAVIS of his *Miranda* Rights and asked DAVIS if he understood his rights. DAVIS replied that he did and agreed to talk to law enforcement. DAVIS stated to law enforcement that he had heard that JOSEPH HALL had stolen Firearm-1 out of his (DAVIS'S) vehicle. HALL is a two-time convicted felon, with one felony conviction on June 9, 2014 in Spotsylvania County Circuit Court for larceny and a second felony conviction on March 31, 2015 in the same court for a probation violation. Law enforcement asked DAVIS if he had reported the theft from his vehicle, and DAVIS responded no.

11. Law enforcement also showed DAVIS a copy of the ATF Form 4473 that DAVIS had signed when he had purchased Firearm-1. Law enforcement asked DAVIS if he recognized the form and remembered signing it, and DAVIS replied yes. DAVIS stated that a couple weeks after the purchase, Firearm -1 was stolen.

12. Law Enforcement advised DAVIS that lying to a federal agent is a federal offense and DAVIS stated he understood. Law enforcement asked DAVIS if he had sold the firearm to

HALL and DAVIS responded no. Then, DAVIS showed law enforcement a Facebook Messenger message from HALL. The message had a picture of what appeared to be a black Hi-Point pistol with a loaded magazine next to it. DAVIS provided law enforcement with his cell phone number.

ATF FORM 4473 FIREARMS TRANSACTION RECORDS REVIEWED

13. ATF Special Agents reviewed DAVIS's firearm purchases in addition to Firearm- 1. DAVIS had signed seven ATF Form 4473 Firearms Transaction Records from November 2017 to February 2018. On November 1, 2017, DAVIS had purchased a Taurus, Model PT 24, .40 caliber pistol, SN# SZF40768 (hereinafter referred to as Firearm-2) purchased from Spotsylvania Gold & Pawn located in Fredericksburg, VA.

14. On November 10, 2017, DAVIS had purchased a Glock, Model 17, 9 mm pistol, SN# BBVG794 (hereinafter referred to as Firearm-3) purchased from Liberty Pawn and Gold located in Fredericksburg, VA. On November 13, 2017, law enforcement had recovered Firearm-3 and had returned it to DAVIS. DAVIS had stated to law enforcement that Firearm-3 was stolen from him. On January 17, 2018, Firearm-3 was again recovered by law enforcement in a hotel room in Dumfries, VA.

15. On December 28, 2017, DAVIS had purchased a Taurus, Model PT 11162, 9mm pistol, SN# TKY0344 (hereinafter referred to as Firearm-4) purchased from B & B Pawnbrokers located in Fredericksburg, VA.

16. On January 5, 2018, DAVIS had purchased a Glock, Model 27, .40 caliber pistol, SN# DD2891US (hereinafter referred to as Firearm-5) purchased from RWH Industries/Hall Precision located in Fredericksburg, VA.

17. On January 5, 2018, DAVIS had purchased a Glock, Model 30s, .40 caliber pistol, SN# ULF729 (hereinafter referred to as Firearm-6) purchased from Pawnking LLC located in Fredericksburg, VA.

18. On February 14, 2018, DAVIS had purchased a Taurus, Model PT 11162, 9 mm pistol, SN# TLM78216 (hereinafter referred to as Firearm-7) purchased from B & B Pawnbrokers located in Fredericksburg, VA. On most the ATF Form 4473s, DAVIS provided "502 Greenbrier Dr., Fredericksburg, VA 22401" as his current residence at the time of the firearm purchase.

SECOND INTERVIEW OF TRAVAUN DAVIS

19. On April 5, 2018, law enforcement again interviewed DAVIS at Rappahannock Regional Jail located in Stafford, VA, where DAVIS was being detained on felony larceny charges from Georgia. DAVIS was again read his *Miranda* rights and again verbally waived his rights.

20. DAVIS again stated that HALL had stolen Firearm-1. Law enforcement asked if HALL had ever asked DAVIS for a firearm. DAVIS stated that HALL wanted DAVIS to sell him a firearm, but DAVIS had refused. Law enforcement asked DAVIS how he communicated with HALL. DAVIS said through Facebook.

FEDERAL SEARCH WARRANT EXECUTED

21. On April 27 2018, ATF obtained a federal search warrant for DAVIS's Facebook accounts "travaun.davis" and "travaun.davis.50". Law enforcement reviewed the records provided by Facebook, which stated that on November 13, 2017, DAVIS and HALL started communicating by messenger thread number 10203893337129411. HALL used a screen name of "Blow Tha Jackman". DAVIS sent a photograph of Firearm-1, which DAVIS had previously

shown to law enforcement. DAVIS stated that he “got this joint for 190” and added “S&W 40.” HALL sent photographs of a shirt, shoes and a belt along with a receipt from Neiman Marcus for men’s shoes with a total price of \$948.70. HALL asked DAVIS what he would trade for Firearm-1. DAVIS stated he would like “the top joint the hoodie and belt.” HALL and DAVIS continued to send photographs of shoes and belts. DAVIS and HALL continued to negotiate on the price for Firearm-1. DAVIS agreed to sell the firearm for \$25 and Size 12 shoes.

INTERVIEW OF UNINDICTED CO-CONSPIRATOR

22. On July 26, 2018, ATF Special Agents interviewed an unindicted co-conspirator (hereinafter referred to as UCC). The interview was related to a Taurus, Model PT111, 9mm pistol, SN# TKU59504 (hereinafter referred to as Firearm-8) purchased by the UCC from B & B Pawnbrokers located in Fredericksburg, VA on March 5, 2018. The UCC stated that DAVIS and another Co-Conspirator went to B & B Pawnbrokers together. DAVIS told the UCC which firearm he wanted the UCC to purchase and provided the UCC \$300. DAVIS paid the UCC \$60 to conduct the firearms transaction.

SHOOTING ON MAY 11, 2018 AND FIREARM-8


23. On May 11, 2018, a shooting incident occurred in Falls Church, VA, and law enforcement recovered seventeen shell casings from the incident. Six of the shell casings were 9 mm shell casing and eleven were .45 caliber shell casings. On June 2, 2018, Firearm-8 was recovered from a traffic stop in Washington DC. Firearm-8 was test fired by the District of Columbia Department of Forensic Sciences Firearms Examination Unit and 9mm shell casings were collected.

24. On August 23, 2018, law enforcement received information from the District of Columbia Department of Forensic Sciences Firearms Examination Unit in reference to 9mm shell casings recovered during the shooting incident in Falls Church that occurred on May 11, 2018 and Firearm-8 that was recovered on June 2, 2018 in Washington DC. The Firearms Examination Unit stated the 9 mm shell casings recovered from the shooting incident and the shell casing collected from the test fire on Firearm-8 were microscopically examined. The Firearms Examination Unit identified the shell casings as having been fired from Firearm-8.

CONCLUSION

25. Based upon the foregoing, I submit there is probable cause to conclude that on or about November, 2017, in Spotsylvania and Stafford County, Virginia, within the Eastern District of Virginia, DAVIS did knowingly make a false statement in connection with the acquisition of seven separate firearms from a licensed dealer in violation of Title 18, United States Code. Section 922(a)(6).

Respectfully submitted,



Jose J. Oquendo
Special Agent, ATF

Subscribed and sworn to before me
on September 5, 2018, at Alexandria, Virginia:



Ivan D. Davis
United States Magistrate Judge